IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

APPEAL FROM ORDER No 135 of 1999

For Approval and Signature:

Hon'ble MR.JUSTICE J.R.VORA

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

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SHAH SHETH & CO.

Versus

PATEL MOHAN AMBA

Appearance:

MR SURESH M SHAH for Appellant

MR NAVIN K PAHWA for Respondents

CORAM : MR.JUSTICE J.R.VORA

Date of decision: 03/07/2001

ORAL JUDGEMENT

1. Heard learned Advocate Mr.S.M.Shah for the appellant and learned Advocate Mr. Navin K. Pahwa for respondents.

2. While hearing the matter finally, consensus is arrived at between the learned advocates with the request that without entering into the merits of the case if the Trial Court is directed to expedite the disposal of the suit itself, the purpose of justice will be served.

3. In this view of the matter, instead of going into the merits of this Appeal From Order, Trial Court is directed as under :

" Learned Civil Judge (SD) at Rajkot shall try and dispose of Spl. Civil Suit No. 96 of 1998 within a period of four months as far as possible but not later than six months in any case from the date of receipt of writ of this Court or on producing certified copy of this order by any of the parties, whichever is earlier. In the meanwhile, i.e. till the disposal of the suit, the interim relief granted by this Court on 12th March, 1999, shall be continued."

This Court has granted interim relief in the following terms :

" On the facts and circumstances of the case the defendants are directed to maintain status quo in respect of the lands which are the subject matter of the suit, in respect of title, possession, and user."

4. Parties to the suit are directed to co-operate with the Court in disposing of the suit expeditiously.

5. With the above order, this Appeal From Order is disposed of with no order as to costs.

(J.R. Vora, J.)